

**REMARKS**

Claims 1-7 and 12-39 are pending in this application. Claims 1-7 and 12-39 currently stand rejected, and claims 1 and 12-15 have been amended. Reconsideration and allowance of the present application are respectfully requested in light of the preceding amendments and following remarks.

**Examiner Interview Requested**

Should the Examiner maintain any of the rejections addressed above, Applicants respectfully request that the Examiner contact Applicants' representative Ryan Alley at 703.668.8046 or [ralley@hdp.com](mailto:ralley@hdp.com) in order to schedule an in-person interview when the Examiner takes up the present response for Examination. Applicants would particularly like to discuss how the Examiner interprets and where the Examiner finds the separate areas and files therein recited in the claims in the Maruyama reference discussed below. Applicants are willing to provide an agenda with greater particularity at the time of the interview.

**Rejection under 35 U.S.C. §102**

Claims 1-7 and 12-39 stand rejected under 35 U.S.C. §102(e) as being anticipated by US Pat 6,385,389 to Maruyama et al. ("Maruyama"). This rejection is respectfully traversed for the reasons detailed below.

With regard to claim 1, the Examiner states that Maruyama teaches each and every element of that claim. Applicants note that claim 1 has been amended to recite that the playlist file in a playlist area includes both "**mark information**" and "at least one **playitem** indicating at least a portion of at least

one of the first clip stream file and the second clip stream file to reproduce,” wherein the clip stream files are in a separate data area. Applicants respectfully submit that Maruyama fails to teach or suggest separate mark information and playitems structured as recited in claim 1. Indeed, the Examiner applies the Cell ID # and navigation pack of Maruyama together to meet the recited “mark information;” it is not possible for the Cell ID # alone to meet the functionality of either the mark information or the playitem. See Maruyama, Col. 12, ll. 11-19. Thus, Maruyama fails to teach or suggest the separate mark information an playitem in claim 1 as amended.

Further, Maruyama teaches navigation information within a cell indicating different angles of an object picture to reproduce from a **single cell that includes both the object picture and navigation information**. See Maruyama, FIGS. 11 & 12, elements 86 (navigation pack within C\_IDN#1) & 88 (video pack within same C\_IDN#1), Col. 12, ll. 11-19; Col. 13, l. 27 - Col. 14, l. 16. That is, the navigation pack of Maruyama does not indicate data portions to reproduce from other files, let alone other areas, but instead indicates data portions to reproduce only from its own cell. Thus, Maruyama does not teach the **separately-located** playlist file and clip stream files related by the playitem as recited in claim 1 as amended.

Lastly, applicants respectfully resubmit that a “data area” stores images, a “playlist area” stores “mark information,” and a “management area” stores “clip information files.” That is, **three distinct areas** store images, markings, and clip information. Maruyama fails to disclose a distinct management area

containing clip information files associated with the images in the data area. Rather, Maruyama places all control data together in a **single area**. See FIG. 3, element DA21; FIG. 11, element 86.

Because Maruyama fails to disclose each and every element of claim 1 as amended, Maruyama cannot anticipate or render obvious claim 1. Claims 12-15 recite the same unique feature as amended claim 1 discussed above and are thus equally allowable over Maruyama. Claims 2-7 and 16-39 are allowable at least for depending from a valid base claim. Withdrawal of the rejection under § 102(e) to claims 1-7 and 12-39 is respectfully requested.

#### Double Patenting

Claims 1-7 and 12-39 stand provisionally rejected under nonstatutory obviousness-type double patenting as being unpatentable over claims in co-pending Application No. 10/766,211 in view of Maruyama. Applicants will address this rejection when either the present or co-pending application have issued and the final status of the claims may be assessed.

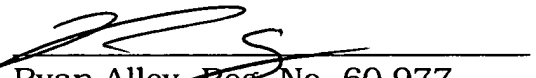
**CONCLUSION**

In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,  
HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
Ryan Alley, Reg. No. 60,977  
Gary D. Yacura, Reg. No. 35,416  
P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/REA: tlt